

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 2:10-1087
Judge John T. Copenhaver, Jr.

\$88,029.08, MORE OR LESS,
IN UNITED STATES CURRENCY,

Defendant.

And

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 2:11-0101
Judge John T. Copenhaver, Jr.

\$27,671.50, MORE OR LESS, IN
UNITED STATES CURRENCY,

Defendant.

(Katherine Anne Hoover, M.D. and
John F. Tomasic, interested parties;
no pending federal charges)

**AMENDMENT TO MOTION OF THE UNITED STATES OF AMERICA
TO COMPEL KATHERINE ANNE HOOVER, M.D.,
TO APPEAR FOR A DEPOSITION**

Pursuant to Fed.R.Civ.P. 37, the United States of America amends its previously filed motion moving the Court to enter an order compelling Katherine Anne Hoover, M.D., to appear for a deposition on the following grounds:

1. Due to changes in the schedule of counsel for the United States necessitated by

other matters pending before this Court while the Motion Of The United States Of America To Compel Katherine Anne Hoover, M.D., To Appear For A Deposition has been pending, the United States amends its request for relief in aforesaid motion and requests that any order compelling Katherine Anne Hoover, M.D., to appear for a deposition at the office of the United States Attorney, 300 Virginia Street East, Room 4000, in Charleston, West Virginia, schedule that deposition to begin on August 30, 2011, at 10:00 a.m., and to require Katherine Anne Hoover, M.D., to appear and to testify at her deposition in this civil forfeiture action and for that deposition to continue from day to day until completed

2. The United States still requests that all other relief sought in that motion be granted in all other respects as stated therein.

Respectfully submitted,

R. BOOTH GOODWIN II
United States Attorney

s/Fred B. Westfall, Jr.
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CERTIFICATE OF SERVICE

I electronically filed the foregoing “AMENDMENT TO MOTION OF THE UNITED STATES OF AMERICA TO COMPEL KATHERINE ANNE HOOVER, M.D., TO APPEAR FOR A DEPOSITION” with the Clerk of Court using the CM/ECF system this 1st day of August, 2011, and I hereby certify that service was made this day, by Federal Express International to the following:

Katherine Anne Hoover, MD and John F. Tomasic

c/o Dr. Norman Gay
N-3222
247 West Bay Street
Nassau, N.P. Bahamas

s/ Fred B. Westfall, Jr.
Assistant United States Attorney